

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

APPLICATION OF WIRELESSCO, L.P. FOR)	
ISSUANCE OF A CERTIFICATE OF PUBLIC)	
CONVENIENCE AND NECESSITY TO)	
CONSTRUCT A PERSONAL COMMUNICATION)	CASE NO. 96-322
SERVICES FACILITY IN THE LOUISVILLE)	
MAJOR TRADING AREA (PROSPECT)	
PCS FACILITY))	

O R D E R

The Commission has received the attached letters from J Moseley, Sam Goldstein, and Mr. and Mrs. Scott Bartelt (hereinafter referred to collectively as "Petitioners") regarding the proposed personal communication services facility to be located at 9213 Highway 42, Prospect, Oldham County, Kentucky.

IT IS THEREFORE ORDERED that:

1. WirelessCo, L.P. ("WirelessCo") shall respond to the Petitioners' concerns by certified letter, within 10 days from the date of this Order.
2. WirelessCo shall file a copy of the certified letter and dated receipt, within 7 days of the date of the receipt.

Done at Frankfort, Kentucky, this 30th day of July, 1996.

ATTEST:

PUBLIC SERVICE COMMISSION



Executive Director



For the Commission

J and Sandra Moseley
13102 Blossom Way
Prospect, KY
40059
(502) 228-3344

July 17, 1996

Executive Director's Office
Public Service Commission Of Kentucky
Post Office Box 615
Frankfort, KY 40602

Re: Case No. 96-322

To Whom It May Concern,

I am in receipt of a letter from Gearon & Co., Inc. dated July 11, 1996 announcing that Sprint Spectrum L.P. on behalf of WirelessCo., L.P. has made application in your office for a Certificate of Public Convenience and Necessity to construct and operate a PCS facility to provide personal wireless telephone and data services, including a "monopole" which apparently is proposed to be installed in a farm pasture directly behind my home. The equipment cabinet is apparently proposed to be located at 9213 Highway 42 in Prospect, KY. A copy of this letter is enclosed.

I am opposed to the proposed site of the monopole and wish this letter to serve as officially exercising my right to intervene in this matter. (As indicated in the letter enclosed.)

In my opinion these monopoles are an eyesore and have no place in predominately residential areas. I am also concerned as to the interference which this monopole will most probably cause in the use of cordless telephones in one's home. Primarily, my objection is to the visual degradation of a rural area for a purely economic purpose. This monopole could, I'm quite certain, be located in a commercial area. Additionally, the letter states that "Over fifty percent of Sprint Spectrum's proposed new facilities will be located on existing structures (ie., rooftops and water tanks)." There is a water tank within the 500' radius of the proposed monopole !!! The letter goes on to say "Unfortunately, no such appropriate and available structure exists in this area." Perhaps that should more accurately read: There is a water tower in the area, but since our towers are much less expensive and quicker to erect from the ground, we have chosen to ignore the tower.

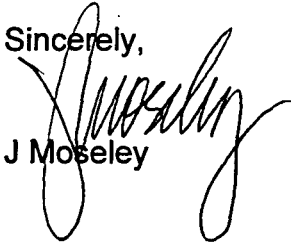
It is also my opinion that in a very few years these towers will be obsolete as we in all likelihood will be using satellites and some other form of transmitting equipment. Will Gearon & Co., Inc. or Sprint Spectrum L.P. or WirelessCo., L.P. be so anxious to remove these towers once they are obsolete? I feel foolish even proposing such an absurd notion. No, we the residents can look forward to many years of obstructed sunsets from towers which will become headstones for the natural beauty sacrificed for economic greed.

I find it interesting that this monopoly is proposed now, even as streets and utility lines are being put in place for the Hunter's Ridge subdivision which will undoubtedly have homes within the 500' radius. Could this be an attempt to slip this project in before any more homeowners have an opportunity to object?

The natural beauty of God's good earth is not something to be taken for granted. In far too many instances economic considerations overshadow the rights of individuals to have the rural setting they sought out and moved into preserved. There is a place for everything and just as businesses are restricted to areas zoned as commercial, so should this tower be restricted in its location. I am quite sure that there are other suitable locations that are not right in the middle of a residential/rural area.

I trust I will be notified of any hearings or other proposed actions in this matter.

Sincerely,



J Moseley

Copied to:

Rep. Tim Zimmerman, Crestwood, Ky.
Sen. Earnest Z. Harris, Jr. Prospect, Ky.

Gearon & Co., Inc.

Wireless Network Development

9000 Wessex Place - Suite 100

Louisville, Kentucky 40222

Phone: (502) 394-9900 - Fax: (502) 394-3571

July 11, 1996

Mr. & Mrs. J. Lewis and Sandra V. Mosley
13102 Blossom Way
Prospect, KY 40059

Re: Public Notice - Public Service Commission of Kentucky,
Case No. 96-322

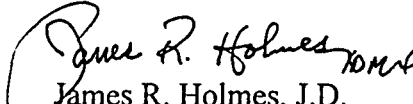
Dear Sir or Madam:

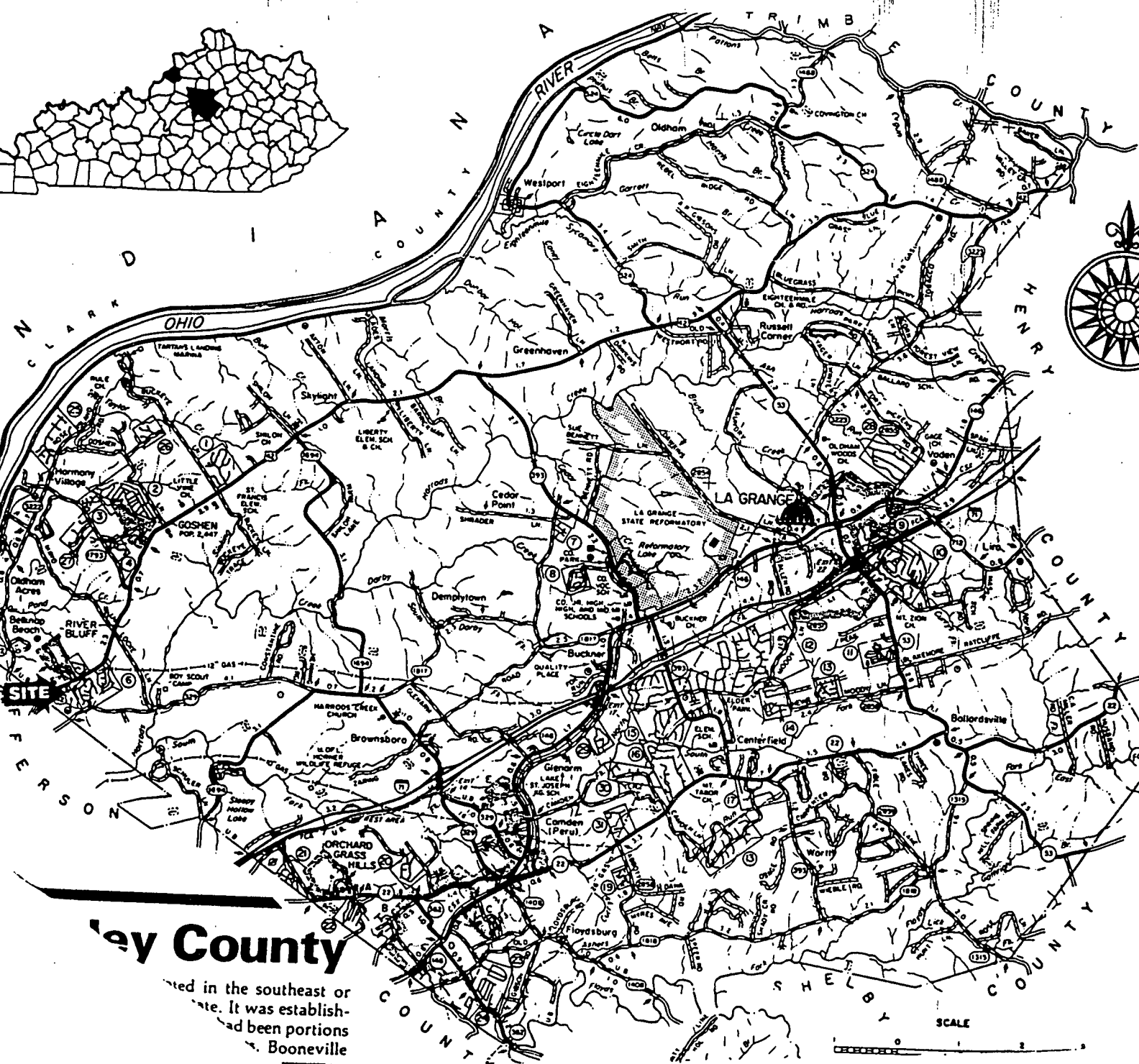
Sprint Spectrum L.P., on behalf of WirelessCo., L.P., has applied to the Public Service Commission (the "Commission") of Kentucky for a Certificate of Public Convenience and Necessity to construct and operate a new Public Communications Services ("PCS") facility to provide personal wireless telephone and data services. Over fifty percent of Sprint Spectrum's proposed new facilities will be located on existing structures (ie., rooftops and water tanks). Unfortunately, no such appropriate and available structure exists in this area. Therefore, the proposed new facility will include a monopole, with attached antennas extending upward for a total height of 195', and an equipment cabinet to be located at 9213 Highway 42, Prospect, Kentucky. A map showing the location of the proposed new PCS facility is enclosed. This notice is being sent to you because you own property or reside within a 500' radius of the proposed monopole.

The Commission invites your comments regarding the proposed construction. You also have the right to intervene in this matter. Your initial communication to the Commission must be received by the Commission within 20 days of the date of this letter as shown above.

Your comments and request for intervention should be addressed to: Executive Director's Office, Public Service Commission of Kentucky, Post Office Box 615, Frankfort, KY 40602. Please refer to Case No. 96-322 in your correspondence.

Yours truly,


James R. Holmes, J.D.



96-321

Dotsow

July 22, 1996

RECEIVED

JUL 24 1996

PUBLIC SERVICE
COMMISSION

Executive Director
Public Service Commission
P.O. Box 615
Frankfort, Ky. 40602

Dear Sir:

I noticed a sign on Wolf Pen Branch Road in Prospect announcing a proposal to erect a monopole at that location.

I would like to know the following:

Is this proposal a "done deal" or will a hearing be held?

Do the local residents who will be effected have any voice in this matter?

Is this proposed tower on public land? If not who is the property owner?

Why must it be put in this location, near homes when there is thousands of vacant acres near by with no homes?

I would appreciate a response on this at your earliest convenience as we, the local residents are very upset with this proposal.

Yours very truly,



Sam Goldstein
8607 Wolf Pen Branch Rd
Prospect, Ky 40059
Telephone 502 228 0631

Dotson

Executive Director's Office
Public Service Commission of Ky
P.O. Box 615
Frankfort, Ky 40602

7-23-96
RECEIVED

JUL 25 1996
PUBLIC SERVICE
COMMISSION

Re: Case # 96-322

Dear Sir -

I have received a public notice about Sprint erecting a tower near my home. I am writing to state our opposition to this location. This is a scenic site with historical value & a tower would destroy that. These types of towers need to be in commercially zoned areas - not residential to ultimately lower our home values. These towers are eyesores and should be encouraged to double up with other towers whenever possible.

What chance does the public really have in these cases? The public wants the placing of the towers regulated - unfortunately our legislators feel lobbyists money is too important to give up and decided against imposing laws to help the public - as usual in Frankfort.

Once again, Kentucky is one of the few states not regulating and what happens? Sprint alone decides they need 88 towers! I bet if the laws were in place, they could make due with far fewer towers and would rethink their entire strategy for placing them.

Please hear our cry since we have no representation in Frankfort. Put some restrictions on these things.

Thank you for your ear -

Sincerely,

Jim Bartlett
Scott Bartlett
4016 Hayfield Way
Prospect, Ky 40057

Please let me know how I can "intervene in this matter" as your public notice I received states.

Thanks.

COMMONWEALTH OF KENTUCKY
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MAJOR TRADING AREA (PROSPECT PCS)	
FACILITY))	

O R D E R

This matter arising upon the motion of J Moseley for full intervention, and it appearing to the Commission that Mr. Moseley has a special interest which is not otherwise adequately represented, and that such intervention is likely to present issues and develop facts that will assist the Commission in fully considering the matter without unduly complicating or disrupting the proceedings, and this Commission being otherwise sufficiently advised,

IT IS THEREFORE ORDERED that:

1. The motion of J Moseley to intervene is granted.
2. Mr. Moseley shall be entitled to the full rights of a party and shall be served with the Commission's Orders and with filed testimony, exhibits, pleadings, correspondence, and all other documents submitted by parties after the date of this Order.
3. Should Mr. Moseley file documents of any kind with the Commission in the course of these proceedings, he shall also serve a copy of said documents on all other parties of record.

Done at Frankfort, Kentucky, this 30th day of July, 1996.

PUBLIC SERVICE COMMISSION


For the Commission

ATTEST:


Executive Director